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Plaintiff pro se

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Jesus Rogelio Cerda,)CASE NO: 22-cv-05188-TLT
)Hon. Trina L. Thompson, Courtroom 9
Plaintiff,)
)PLAINTIFF MOTION TO EXTEND TIME
vs.)Fed.Civ.R 6(b)(B) FOR EXCUSABLE
)NEGLECT TO ANSWER DEFENDANT.
ALLY FINANCIAL, <i>et al</i>)
)
Defendants.)

Comes now, Plaintiff timely to move this honorable court pursuant to Fed.Civ.R. 6(b)(B), Fed.Civ.R.7(b)¹, Plaintiff was to file his Response to Defendant MTD February 17, 2023 by order of the Court. Plaintiff now will timely file his Response Concurrently with this Motion on February 21, 2023.

Plaintiff contracted a mild case of Covid 19.

/s/ Jesus Cerda

Jesus Cerda, Plaintiff in Pro Per

¹ Rule 6. Computing and Extending Time; Time for Motion Papers
(b) Extending Time.

(B) on motion made after the time has expired if the party failed to act because of excusable neglect.

PLAINTIFF’S MOTION TO EXTEND TIME
NOTICE OF HEARING

Fed.Civ. R.7

Unless this court deems, otherwise this hearing date for said Motion will be set for hearing on May 2, 2023 at 2:00pm and a response hereto will be set for (1) day prior to hearing.

/s/ Jesus Cerda
Jesus Cerda, Plaintiff in Pro Per

BRIEF IN SUPPORT OF PLAINTIFF’S MOTION TO EXTEND TIME

Plaintiff timely brings this motion to extend time to file his Response to Defendant Motion to Dismiss as ordered by the court. This Motion is timely, not meant to delay nor cause any prejudice or harm to another party.

ARGUMENT IN LAW

Fed.Civ.R. 6(bF(B)) states:

Computing and Extending Time; Time for Motion Papers; (b) Extending Time; (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Plaintiff contracted a mild case of Covid 19.

PRAYER

Plaintiff respectfully moves this Honorable Court to grant Plaintiff’s Motion to Extend time for because of excusable neglect a “matter of law”. Plaintiff has filed his Response to Defendants Motion to Dismiss concurrently with this Motion.

February 21, 2023

Respectfully Submitted

/s/ Jesus Cerda

Jesus Cerda, Plaintiff in Pro Per

CERTIFICATE OF SERVICE

I certify that on February 21, 2023, a copy of the foregoing was filed and served electronically in the ECF system. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: February 21 2023

/s/ Jesus Cerda

Jesus Cerda, Plaintiff in Pro Per

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